

REMARKS

Claims 1-52 are pending in this application, of which, claims 12-23, 35-49, 51 and 52 have been withdrawn from consideration.

The undersigned wishes to take this opportunity to thank Examiner Wallerson for yesterday's personal interview. Should the Examiner wish to discuss anything covered in the interview further or any aspect of this response, he is invited to contact the undersigned at the number provided.

Claims 1-3, 6-9, 24-26, 29-32 and 50 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,764,866 to Maniwa (hereinafter, "Maniwa"). Claims 5 and 28 have been rejected under 35 U.S.C. §103 as being unpatentable over Maniwa in view of U.S. Patent No. 6,237,010 to Hui. Claims 10, 11, 33 and 34 have been rejected under 35 U.S.C. §103 as being unpatentable over Maniwa in view of U.S. Patent No. 6,426,801 to Reed. Claims 1, 24 and 50 are independent.

Claim 1 is directed to a method for use by an image transmitting apparatus comprising:

a transmission step of automatically transmitting a plurality of image files indicated in a transmission image designation file to an external device;

a first list generation step wherein said image transmitting apparatus generates a list holding information indicative of the transmitted image files and information representing a transmission order of the image files transmitted in said transmission step, the list being named a file name different from that of the transmission image designation file and having a same format as that of the transmission image designation file; and

an output step of outputting the transmitted image files and the transmission order to an output device on the basis of the information held in the list.

It is noted that Applicant's invention, as defined by claim 1, is directed to a method practiced by an image transmitting apparatus. In one embodiment of the present invention, the image transmitting apparatus may be a camera and a user thereof may designate a plurality of image files to be transmitted from the camera to an external device, which, in one embodiment, may be a personal computer. The designated plurality of image files may be indicated in a transmission image designation file and, as recited in claim 1, the image files indicated therein are transmitted to the external device.

As further recited in claim 1, the image transmitting apparatus generates a list or, in other words, a "history log", holding information indicative of the image files that it transmitted to the external device and information representing the order of transmission. Moreover, the list is named a file name different from that of the transmission image designation file, but the list has the same format as that of the transmission image designation file. Thus, in one embodiment, the list may be called "showlogx" and the transmission image designation file may be called "selimage", but both the list and the image designation file have the same format such as a mark file format.

As lastly recited in claim 1, the transmitted image files and the transmission order are output to an output device, such as a display, on the basis of the information held in the list. In one embodiment, this allows the user of the camera to, e.g., visually confirm that the images designated for transmission were actually transmitted and that the transmission occurred in the designated order.

In contrast to Applicant's invention as defined by claim 1, Maniwa is directed to a network scanning system comprising a host machine 2 and a digital copier device 4. Turning to

FIG. 6 of Maniwa (which was relied upon in the Office Action), a user of a host machine 2 may create one or more scan files 131, each of which contains settings for a scanning operation, and may use directory service 112 to determine the identity of the scan files 131 that have been created. After creating a scan file, the user may go to the digital copier device 4 and invoke a scanning operation 132, which causes scan files 131 to be displayed. The user may then select one of the scan files, thereby setting the scan conditions for the scanning operation. Scan conditions may include scan settings such as contrast, size-enlargement or reduction, single or double sided, etc. Once a scan file has been selected and confirmed, the copier device 4 feeds in each sheet to be scanned 138, generates a scanned image 141 of the sheet, and stores it at the copier device 4 as one of the image files 144. Returning to the host machine 2, the user may then use directory service 122 to select one of the image files 144 of interest for further image processing.

As noted above, claim 1 requires “a transmission step of automatically transmitting a plurality of image files indicated in a transmission image designation file to an external device”. As a preliminary matter, Applicant notes that the Office Action identifies scan files 131 of FIG. 6 of Maniwa as corresponding to the claimed “plurality of image files”. Applicant respectfully submits that files 131 are not “image files” as required by claim 1; instead, files 131 are scan files, each of which merely specifies particular settings, such as contrast, size enlargement, etc., for a scanning operation.

More to the point, however, Maniwa does not teach or suggest the concept of a “transmission image designation file”. In particular, none of the scan files 131 of Maniwa nor any other file in Maniwa is a file that indicates a plurality of images that have been designated for transmission. For example, image files 144 of FIG. 6 of Maniwa are instead the individual image files that have been scanned by digital copier device 4 and which have been stored in the hard drive

of device 4 for possible selection by a user of host machine 2. Thus, image files 144 are clearly not a file that indicates a plurality of image files that have been designated for transmission.

Additionally, claim 1 requires “a first list generation step wherein said image transmitting apparatus generates a list holding information indicative of the transmitted image files and information representing a transmission order of the image files transmitted in said transmission step”.

Once again, as a preliminary matter, for this feature of claim 1, the Office Action appears to rely on Maniwa’s disclosure of a user being able to view a directory listing of the scan files 131. (Col. 16, lines 11-32 and FIG. 6) However, this is a directory of scan files rather than image files, and thus, does not indicate a plurality of image files that have been transmitted or a transmission order of such files, as required by claim 1.

More to the point, Applicant respectfully submits that Maniwa does not teach or suggest the concept of “said image transmitting apparatus generat[ing] a list holding information indicative of the transmitted image files and information representing a transmission order of the image files transmitted [to an external device]”, and “the list being named a file name”, as required by claim 1. In other words, Maniwa does not disclose a list (having a file name) generated by an image transmitting apparatus that provides a history log of a plurality of image files that the apparatus has transmitted to an external device and the order in which those image files were transmitted.

For example, in FIG. 6 of Maniwa, image files 144 are instead image files that have been scanned by the digital copier device 4, stored in the hard drive of device 4 and made available for selection by a user of host machine 2, without ever having been transmitted to an external device. Moreover, each image file is not a list (with a file name) nor is it generated by

an image transmitting apparatus to indicate image files transmitted by that apparatus and the order in which transmission occurred.

In an alternate embodiment shown in FIG. 9 of Maniwa, wherein a file server acts as an intermediary between digital copier device 4b and host machine 2b, image files 144b, each of which is an image received from digital copier device 4b, is not a list (with a file name) nor is it generated by an image transmitting apparatus to indicate image files transmitted by that apparatus and the order in which transmission occurred. Rather, these are just user-selectable image files stored at the file server.

Likewise, any directory listing of image files in Maniwa is not a list generated by an image transmitting apparatus to indicate image files transmitted by that apparatus to an external device and the order in which transmission occurred. Rather, it is merely a listing of stored image files (whether stored at copier device 4 or a file server) that are available for selection by a user of host machine 2.

Claim 1 further requires “the list being named a file name different from that of the transmission image designation file and having a same format as that of the transmission image designation file”. As Maniwa does not teach or suggest the claimed “transmission image designation file” or the claimed “list”, it follows that Maniwa does not teach or suggest this additional feature of claim 1. Moreover, although the Office Action cites col. 13, lines 1-17 of Maniwa, in which there is a discussion that the print format/language (e.g., TIFF) being used in the scanner system is harmonized between host machines and between copiers, it does not necessarily follow that the scan files 131 (which, as noted above, the Office Action equates with the claimed “transmission image designation file”) and the directory listing 112 of the scan files (which, as also noted above, the Office Action equates with the claimed “list”), have the same

format, as required by Applicant's claim 1. Rather, it merely seems to imply that the format of the image files themselves is recognizable by both host machines and copiers or is converted as necessary to be recognizable by those network devices.

Lastly, claim 1 requires "an output step of outputting the transmitted image files and the transmission order to an output device on the basis of the information held in the list." For reasons discussed above, Maniwa does not teach or suggest the claimed "list", and thus, it follows that Maniwa does not teach or suggest this additional feature of claim 1.

For the foregoing reasons, Applicant respectfully submits that claim 1 is not anticipated by Maniwa. Claims 24 and 50 contain features similar to those found in claim 1. Accordingly, Applicant respectfully submits that claims 1, 24 and 50 are allowable over Maniwa. Moreover, the dependent claims are allowable for at least the reasons set forth above in urging the allowance of the independent claims.

* * *

For the above stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required by this response or any paper filed herewith, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

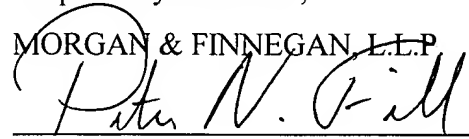
In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is

hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.



By:

Peter N. Fill

Reg. No. 38,876

Dated: August 11, 2004

Mailing address:

Morgan & Finnegan, L.L.P.
3 World Financial Center
New York, New York 10281-2101
Tel: (212) 415-8700
Fax: (212) 415-8701



format, as required by Applicant's claim 1. Rather, it merely seems to imply that the format of the image files themselves is recognizable by both host machines and copiers or is converted as necessary to be recognizable by those network devices.

Lastly, claim 1 requires "an output step of outputting the transmitted image files and the transmission order to an output device on the basis of the information held in the list." For reasons discussed above, Maniwa does not teach or suggest the claimed "list", and thus, it follows that Maniwa does not teach or suggest this additional feature of claim 1.

For the foregoing reasons, Applicant respectfully submits that claim 1 is not anticipated by Maniwa. Claims 24 and 50 contain features similar to those found in claim 1. Accordingly, Applicant respectfully submits that claims 1, 24 and 50 are allowable over Maniwa. Moreover, the dependent claims are allowable for at least the reasons set forth above in urging the allowance of the independent claims.

* * *

For the above stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required by this response or any paper filed herewith, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

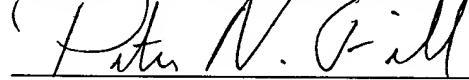
In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is

hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.



By:

Peter N. Fill

Reg. No. 38,876

Dated: August 11, 2004

Mailing address:

Morgan & Finnegan, L.L.P.

3 World Financial Center

New York, New York 10281-2101

Tel: (212) 415-8700

Fax: (212) 415-8701